

IN THE MIDDLE DISTRICT OF THE UNITED STATES

MIDDLE DISTRICT COURT OF ALABAMA

NORTHEASTERN DIVISION

RECEIVED

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MARSHALL, CARL, # 110574
PLAINTIFF

VS.

RICHARD ALLEN, et al.,
DEFENDANTS

2007 APR 17 A 9:47

CIVIL ACTION NO. 2:06-CV-1131-MHT
MIDDLE DISTRICT COURT
MIDDLE DISTRICT ALA

MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE IN OPPOSITION
TO DEFENDANTS SPECIAL
REPORT AND ANSWER

THE PLAINTIFF MOVE THIS HONORABLE COURT TO GRANT AN EXTENSION WITHIN WHICH TO FILE ANSWER IN THE ABOVE STYLED CASE AND AS REASONS THEREFORE, SHOW THE FOLLOWING:

1.) PLAINTIFF WAS TRANSFERRED TO, ANOTHER FACILITY ON THE LAST WEEK OF MARCH; THE DEFENDANTS POST MARK WAS DATED THE DAY AFTER SAID TRANSFER.


2.) THE DEFENDANTS WITH ITS VAST NETWORK OF ATTORNEYS, COMPUTERS, AIDS, ASSISTANTS, COMMUNICATIONS, FREEDOM OF MOVEMENTS AND SO-FORTH, DELAYED UNTIL THE VERY LAST DAY, DATE, WEEK AND MINUTE TO FILE ELECTRONICLY TO THE COURTS AS ORDERED.

3.) THE FACILITY THAT PLAINTIFF WAS TRANSFERRED TO DOES NOT OFFER FOR SALE OR HAS SALES MADE AVAILABLE TO INMATES ANY STAMPS; THAT PLAINTIFF WAS ONLY ABLE TO OBTAIN ADDIQUIT POSTAGE ON THE DATE POST, MARKED ON COVER.

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4.) PLAINTIFF WAS PREJUDICED AGAINST BY THE EXTENSION, IN THAT, THE TRANSFER OF PLAINTIFF COUPLED WITH THE TIMED, ELECTRONIC FILING CAUSED AN UN-NECESSARY DELAY.


FURTHER PLAINTIFF MOVES THIS HONORABLE COURT FOR AN ORDER COMPELLING THE ALA. DEPARTMENT OF CORRECTION TO FORWARD TO PLAINTIFF, WITHOUT DELAY A COPY OF SAID DEFENDANTS RECORDS, THAT WERE NOT AVAILABLE TO PROVIDE AN AFFIDAVIT ADDRESSING PLAINTIFFS CLAIM, TO INCLUDE BUT NOT LIMITED TO, LEAVES, COMP-TIME, VACATIONS AND OFF DAYS, IN AN EFFORT TO OFFER THE COURTS AND PLAINTIFF AN OPPORTUNITY TO VIEW, AND CLARIFY STATEMENTS, COUPLED WITH A COPY OF PLAINTIFFS MEDICAL RECORDS, IN ITS ENTIRETY, AND A COPY OF OF RULE AND REGULATION GOVERNING CONDUCT OF ALL STATE EMPLOYEES IN REGARD TO INMATES, NOT A PART, OF RULES, BUT ALL, INCLUDING ORIENTATION PACKAGE FOR APPLICATIONS. DEFENDANT(S) MAKE SPECIFIC ALLEGATIONS IN REGARD TO REQUESTED SUBJECT MATTER, THAT PLAINTIFF MUST ADDRESS, IN ANSWER.

RESPECTFULLY SUBMITTED
 110574

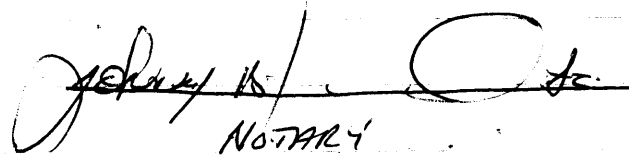
CARL MARSHALL
 PLAINTIFF

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THE STATEMENTS CONTAINED IN THIS MOTION ARE TRUE,
TO THE BEST OF MY KNOWLEDGE.


CARL MARSHALL 110574

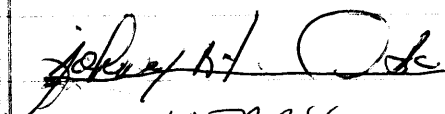
SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 14
DAY OF April 2007;



NOTARY
MY COMMISSION EXPIRES APRIL 14, 2007

I DO HEREBY CERTIFY THAT ON THIS DAY, 14 APRIL
2007, I FILED THE FOREGONE WITH THE CLERK OF
THE COURT BY U.S. MAIL;

AND I HEREBY CERTIFY THAT I HAVE MAILED A
COPY OF THE FOREGONE VIA UNITED STATES MAIL
PROPERLY ADDRESSED POSTAGE PAID TO

ALABAMA DEPT. OF CORRECTIONS
LEGAL DIVISION
301 SOUTH RIPLEY ST.
P.O. BOX 301501
MONTGOMERY, AL. 36130-1501


NOTARY
MY COMMISSION EXPIRES APRIL 14, 2007


CARL MARSHALL 110574
PLAINTIFF



BIRMINGHAM AL 352
16 APR 2007 PM 4 1

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711
MONTGOMERY, ALABAMA 36101-0711



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